

85th Legislative Session – 2010

Committee: House Education

Wednesday, February 03, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Bolin
P Brunner
P Elliott
P Fargen
P Hamiel
P Hunt
P Killer
E Olson (Ryan)
P Schlekeway
P Sly
P Sorenson
P Thompson
P Van Gerpen, Vice-Chair
P Vanneman
P McLaughlin, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Rep. Ed McLaughlin, Chair.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 1, 2010

Moved by: Sorenson
Second by: Brunner
Action: Prevailed by voice vote.

HB 1175: provide for the establishment of performance standards for certified teachers, and to provide for the evaluation of the performance of certified teachers.

Presented by: Representative Jacqueline Sly

MOTION: TO TABLE HB 1175

Moved by: Sly

Second by: Elliott

Action: Prevailed by roll call vote. (13-0-2-0)

Voting Yes: Bolin, Brunner, Elliott, Fargen, Hamiel, Hunt, Schlekeway, Sly, Sorenson, Thompson, Van Gerpen, Vanneman, McLaughlin

Excused: Killer, Olson (Ryan)

SB 24: establish standards for teaching, to require an annual teacher evaluation, and to provide for the development of a model evaluation instrument.

Presented by: Melody Schopp, Department of Education

Proponents: Sandy Arseneault, SD Education Assoc. (Handouts: #1)

Jim Hutmacher, Mid Size Schools

Jim Hutmacher, SD Coalition of Schools

Dick Tieszen, Rapid City School District

Dick Tieszen, Sioux Falls School District

John Pedersen, School Administrator of South Dakota

MOTION: AMEND SB 24

24ce

On page 1, line 4, of the Senate Education Committee engrossed bill, delete "January 1, 2011" and insert "July 1, 2011".

On page 1, line 5, after "establish" insert "minimum professional performance".

On page 1, line 5, delete "teaching" and insert "certified teachers".

On page 1, line 5, after "schools" insert ", and to establish best practices for the evaluation of the performance of certified teachers that may be used by individual school districts".

On page 1, line 5, delete "The".

On page 1, delete lines 6 to 8, inclusive.

On page 1, after line 11, insert:

../02030745.HED

Page 2

"

Each school district shall adopt procedures for evaluating the performance of certified teachers employed by the school district that:

- (1) Are based on the minimum professional performance standards established by the Board of Education pursuant to section 1 of this Act;
- (2) Require multiple measures;
- (3) Serve as the basis for programs to increase professional growth and development of certified teachers; and
- (4) Include a plan of assistance for any certified teacher, who is in the fourth or subsequent year of teaching, and whose performance does not meet the school district's performance standards."

On page 2, delete lines 10 to 14, inclusive, and insert:

"

Section 4. Nothing in this Act may diminish a school district's right to not renew a teacher's contract pursuant to § 13-43-6.3."

Moved by: Fargen
Second by: Bolin
Action: Prevailed by voice vote.

MOTION: DO PASS SB 24 AS AMENDED

Moved by: Sly
Second by: Hamiel
Action: Prevailed by roll call vote. (13-1-1-0)

Voting Yes: Bolin, Brunner, Elliott, Fargen, Hamiel, Hunt, Killer, Schlekeway, Sly, Sorenson, Van Gerpen, Vanneman, McLaughlin

Voting No: Thompson

Excused: Olson (Ryan)

MOTION: AMEND TITLE OF SB 24

24cta

On page 1, line 1, of the Senate Education Committee engrossed bill, delete "an annual".

On page 1, line 2, delete "evaluation" and insert "evaluations".

Moved by: Sly
Second by: Killer
Action: Prevailed by voice vote.

HB 1190: revise the high school course requirements for the South Dakota opportunity scholarship program.

Presented by: Representative Jason Frerichs
Proponents: Senator Russell Olson (Handout #3,4)
Erik Person, Self, Burke
Tom Oster, Secretary Department of Education
Mark Gregerson. Self, Chester
Terry Majerer, Self, Canton
Joe Graves, Mitchell School District
Cory Strasser, Self, Canton
Sandy Stukel. Self, Gregory
Deb Shephard, Lake Area Technical Institute (Handouts: #5, #6)
Opponents: Jack Warner, SDBoard of Regents

MOTION: AMEND HB 1190

1190cb

On page 7, after line 18 of the printed bill, insert:

"

Section 4. That § 13-55-34 be amended to read as follows:

13-55-34. In order to maintain eligibility, a student shall:

- (1) Maintain a cumulative 3.0 grade point average on a 4.0 scale. Cumulative grade point average shall be calculated after the second semester and every semester thereafter. The student shall complete consecutive spring and fall terms in order to remain eligible for continuation of the scholarship program from term to term. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale shall forfeit the scholarship for the subsequent semester and for subsequent semesters until the student has reestablished

eligibility. To reestablish eligibility, the student shall comply with all course load, enrollment, and proficiency examination requirements for continued eligibility stated in §§ 13-55-30 to 13-55-35, inclusive, and the student shall achieve a cumulative grade point average of 3.0, or greater, on a 4.0 scale. The scholarship shall be reinstated beginning the semester following that in which the student achieves a cumulative grade point average of 3.0, or greater, on a 4.0 scale. Reinstatement of a scholarship does not extend the time allowed under the scholarship program; any scholarship award forfeited cannot be reclaimed after a student has regained eligibility. A student whose cumulative grade point average falls below 3.0 on a 4.0 scale a second time forfeits the scholarship for all subsequent semesters;

- (2) ~~Complete fifteen credit hours of instruction per semester. The student shall enroll~~
- (a) Enroll in and complete at least fifteen credit hours of instruction in each consecutive spring and fall term if the student completed ninth grade prior to the 2010-2011 school year; or
- (b) Enroll in and complete at least thirty credit hours of instruction in each academic year if the student completed ninth grade in the 2010-2011 school year or thereafter. For purposes of this subdivision, an academic year consists of consecutive fall and spring terms.

If the executive director of the Board of Regents determines that a student's failure to enroll or to maintain continued enrollment occurred as a direct result of legitimate factors outside the student's control, or has resulted from the student's participation in an activity that in the executive director's judgment provides knowledge or experience that will enhance the student's academic pursuits, the executive director may extend the student's eligibility to participate in the program for up to two additional years, if the student does not enroll in a noneligible institution; and

- (3) Sit for and pass all sections of a college proficiency exam as required by Board of Regents Policy Number 2.28 as in effect on January 1, 2003, at the end of the sophomore year. The Board of regents may review and adjust the proficiency examinations administered in keeping with sound academic practice. If such changes are made, the Board of Regents shall notify all eligible institutions of new testing standards or requirements. If the student fails to pass the proficiency examinations the first time, eligibility is forfeited for continuation in the scholarship program."

Moved by: Killer
Second by: Van Gerpen
Action: Prevailed by voice vote.

MOTION: AMEND HB 1190

1190ca

On page 6, line 17, of the printed bill, delete everything after "of" and insert "either of the following or a combination of the two:".

On page 6, after line 19, insert:

" Approval for a career and technical education course must be obtained through an application process with the Department of Education. The department shall meet with the Board of Regents to determine final course approval.".

Moved by: Van Gerpen
Second by: Sly
Action: Prevailed by voice vote.

MOTION: AMEND HB 1190

1190cc

On page 5, line 8, of the printed bill, after "Education.", insert "The Department of Education shall meet with the Board of Regents to determine final course approval.".

On page 7, line 12, after "Education.", insert "The Department of Education shall meet with the Board of Regents to determine final course approval.".

Moved by: Van Gerpen
Second by: Bolin
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1190 AS AMENDED

Moved by: Van Gerpen
Second by: Sorenson
Action: Prevailed by roll call vote. (13-0-2-0)

Voting Yes: Bolin, Brunner, Elliott, Fargen, Hunt, Killer, Schlekeway, Sly, Sorenson, Thompson, Van Gerpen, Vanneman, McLaughlin

Excused: Hamiel, Olson (Ryan)

MOTION: AMEND TITLE OF HB 1190

1190cta

On page 1, line 1, of the printed bill, after "requirements" insert "and the requirements necessary to maintain eligibility".

Moved by: Vanneman
Second by: Fargen
Action: Prevailed by voice vote.

HB 1129: provide for the early reinstatement of a student expelled from school under certain circumstances.

Presented by: Representative Manny Steele
Proponents: Jerry Schutz, Self, Tea

THE CHAIR DEFERRED HB 1129 UNTIL ANOTHER DATE

MOTION: ADJOURN

Moved by: Elliott
Second by: Killer
Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Ed McLaughlin, Chair